

1 KEVIN V. RYAN (CASBN 118321)  
2 United States Attorney

3 EUMI L. CHOI (WVSBN 0722)  
4 Chief, Criminal Division

5 ROBERT DAVID REES (CASBN 229441)  
6 Assistant United States Attorney

7 450 Golden Gate Avenue, Box 36055  
8 San Francisco, California 94102  
9 Telephone: (415) 436-7210  
10 Fax: (415) 436-7234

11 Attorneys for Plaintiff

12 UNITED STATES MAGISTRATE COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

15 UNITED STATES OF AMERICA, ) No. CR 05 0673 JSW  
16 Plaintiff, )  
17 v. )  
18 TODD BURTON SARVER, )  
19 Defendant. )  
20 \_\_\_\_\_)

21 [PROPOSED] ORDER AND  
22 STIPULATION FOR CONTINUANCE  
23 FROM NOVEMBER 10, 2005 TO  
24 DECEMBER 6, 2005 AND EXCLUDING  
25 TIME FROM THE SPEEDY TRIAL ACT  
CALCULATION (18 U.S.C. §  
3161(h)(8)(A))

26 With the agreement of the parties, and with the consent of the defendant, the Court enters  
27 this order scheduling a trial setting appearance before the district court on December 6, 2005 at  
28 9:00A.M. before the Honorable Jeffrey S. White, and documenting the defendant's exclusion of  
time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from November 10, 2005 to December 6,  
2005. The parties agree, and the Court finds and holds, as follows:

29 1. The defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to  
30 grant the requested continuance would unreasonably deny defense counsel reasonable time  
31 necessary for effective preparation, taking into account the exercise of due diligence.

32 2. Given these circumstances, the Court found that the ends of justice served by  
33 excluding the period from November 10, 2005 to December 6, 2005, outweigh the best interest  
34 of the public and the defendant in a speedy trial. § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from November 10, 2005 to December 6, 2005 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

## IT IS SO STIPULATED:

DATED: November 17, 2005

/s  
**DANIEL BLANK, ESQ.**  
Attorney for Defendant

DATED: November 10, 2005

/s  
**ROBERT DAVID REES**  
Assistant United States Attorney

IT IS SO ORDERED.

DATED November 18, 2005

~~HON. JEFFREY S. WHITE~~  
United States District Judge